

REMARKS

1. Summary of the Office Action

In the final office action, the Examiner rejected claims 1, 4-6, 8, 12-21, and 23 on grounds of obviousness based on US patent 5,223,827 to Bell et al. (the Bell reference) in view of US Patent 6,434,715 to Andersen (the Andersen reference).

2. Status of the Claims

Claims 1, 4-6, 8, 12-21, and 23 are presently pending. Applicants have amended claims 1, 8, and 23.

3. Summary of the Prior Art

a. Bell

In Bell, the system looks for the occurrence of events, and then checks to see if the number of events in a given time frame exceed a threshold. If the threshold is exceeded, the system may then take an action as determined by a table that specifies events for each type of event that surpasses its threshold. The specification provides as an example of an event "Typically, this might be the generation of a message containing parameters of interest for this type of event and the transmission of the message via microprocessor 102 to network manager 106." (Bell, col. 5, lines 45-52).

b. Andersen

In Andersen, the system is attempting to identify patterns of certain event types that may give indications of an underlying problem or developing fault. Thus, Andersen receives event notices and then generates *additional* warnings called "repeat events" if the event is recurring. To qualify as a repeat event, Andersen checks to see if certain conditions have been met (such as the occurrence of a certain number of events as set forth in Figures 2A-C, and in the specification, col. 3, lines 58-59: "A limit may be set as to how many repeats should be observed before a repeat event/message is generated."). Finally, Andersen states that the number of repeat events may be limited: "Similarly a limit may be programmed in as to how many repeat events/messages should be generated regardless of the number of observations made." That is, at some point, Anderson will stop generating repeat event warnings.

4. Response to Rejections

a. Response to Rejection of Claims 1, 21, and 23

Applicant traverses this rejection, because the combination of the references does not contain all the claimed elements. Initially, the Applicants have amended the claims to be directed to SNMP events. Neither of the references appear to relate to SNMP data.

Second, the Examiner has asserted that the aspects of counting events and determining when a threshold has been passed as set forth in Bell meet the claim limitations of the present invention relating to (i) determining whether a predetermined number of equivalent events has been generated in a preceding time period, and (ii) generating a recurring event. However, Bell is directed to counting events of a particular type, and if a threshold is crossed, then Bell teaches that the system may take an action such as sending a message to the network manager. In the instant application, however, it is these messages to the network manager that are being processed, and from which recurring events are identified. Therefore, there is no suggestion in Bell that messages should be disregarded (or not be sent) at some point, such as after a predetermined number of threshold crossing have occurred.

With respect to Anderson, it only teaches that generating *additional* warnings indicating that certain events are occurring in a specific pattern may be stopped once a limit is reached. That is, if the number of events again crosses a threshold count, a repeat event might not be generated. This is not the same as the cited element of "receiving data relating to a subsequent occurrence of the recurring event, and preventing a subsequent event from being presented in the event list to the user" which relates to receiving event information and making a determination whether to present it to a user. The Examiner's only apparent justification is Andersen somehow teaches a "suppression of a logging of an event". But to the contrary, Andersen teaches that once a limit is reached, certain combinations of events no longer warrant generating an *additional* event.

Third, Applicant traverses this rejection because the Examiner has not pointed to any objective teaching in the art that would lead one to combine the references, as is required to establish a *prima facie* case of obviousness. See *In re Fine*, 837 F.2d 1071, 1074 (Fed. Cir. 1988) (an Examiner can only meet the burden of establishing a *prima facie* case of

obviousness "by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art [that] would lead that individual to combine the relevant teachings of the references"); *In re Lee*, 277 F.3d at 1342-43 (stating that rejections under 103 must be based on evidence). The Examiner has only pointed out that Andersen teaches that generating repeat event warnings may be ceased, but the Examiner has not pointed to any objective teaching or evidence in the art that would lead one to consider the cessation of warnings in the disparate context of Bell. The citation to the benefits recited in Andersen are irrelevant with respect to the claimed invention. The claimed invention does not seek to identify certain combinations of events that are indicative of "causes" or "roots" of problems, as does the invention of Andersen. Thus, the Examiner has not established the requisite *prima facie* case of obviousness.

b. Response to Rejection of Claims 4-6

Claims 4-6 depend from claim 1 and incorporates the limitations of claim 1. Thus, the references fail to render obvious claims 4-6 for the same reasons as set forth above with respect to claim 1.

c. Response to Rejection of Claim 8

Claim 8 has been amended so that it is directed to SNMP data, which is not disclosed in either the Bell reference or Andersen reference. In addition, claim 8 was amended to clarify that the "recurring state" status is verified (by "determining whether the event condition has occurred more than a first predetermined number of times in a first preceding time period" if the SNMP event condition is in a recurring state) before determining whether to prevent "the received data relating to the event condition from being presented in the event list to the user." This verification is not suggested by the references. Thus, claim 8 is not rendered obvious by the cited references.

d. Response to Rejection of Claims 12-20

These claims depend from claim 8 and incorporate the limitations of claim 8. Thus, the references fail to render these claims obvious for at least the same reasons that they fail to render claim 8 obvious.

5. Conclusion

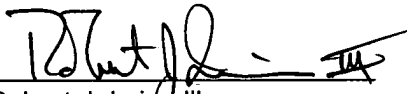
The Applicants submit that the application is in good and proper form for allowance and respectfully request the Examiner to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at 312-913-3305.

Respectfully submitted,

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